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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/612,883	07/03/2003	Thomas Dollmann	089443-000000US

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 7004
FORMALITIES LETTER



OC000000013307735

Date Mailed: 07/22/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$3080** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$3980** for a Large Entity

• \$770 Statutory basic filing fee.	09/20/2004 AWONDAF1 00000105 201430 10612883
• \$130 Late oath or declaration Surcharge.	01 FC:1001 770.00 DA
	02 FC:1051 130.00 DA
• Total additional claim fee(s) for this application is \$3080	03 FC:1202 342.00 DA

- **\$2790 for 155 total claims over 20.**
- **\$290 for multiple dependent claim surcharge.**

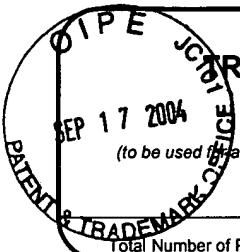
Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Phuong Bui
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE


**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

36

Application Number	10/612,883
Filing Date	July 3, 2003
First Named Inventor	Dollmann, Thomas
Art Unit	2878
Examiner Name	Not yet assigned
Attorney Docket Number	089443000000

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Declaration, Statement under 37 CFR 3.73(b), copy of Assignment, copy of Notice to File Missing Parts, Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Certified Copy of Priority Document(s)	Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

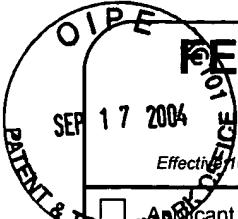
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP	Reg. No. 29,684
Signature	<i>Karen Babylek-Dow</i>	
Date	September 14, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Timothy S. Parker		
Signature	<i>Timothy S. Parker</i>	Date	September 14, 2004



Fee Transmittal for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1242

Complete if Known

Application Number	10/612,883
Filing Date	July 3, 2003
First Named Inventor	Dollmann, Thomas
Examiner Name	Not yet assigned
Art Unit	2878
Attorney Docket No.	089443000000

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number **20-1430**

Deposit Account Name **Townsend and Townsend and Crew LLP**

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$770)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	39	-20** = 19 X\$18 =	\$342
Independent Claims	2	-3** = 0 X\$86 =	\$0
Multiple Dependent		X _____ =	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$342)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive – unavoidable
1453	1,330	2453	665	Petition to revive – unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Petitions related to provisional applications
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$130)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Karen B. Dow	Registration No. (Attorney/Agent)	29,684	Telephone	858-350-6100
Signature	<i>Karen Babayak Dow</i>			Date	September 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

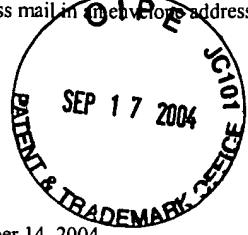
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in **envelope** addressed to:

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Attn: Mail Stop Missing Parts
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Alexandria, VA 22313-1450

On September 14, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy S. Parker



PATENT
Attorney Docket No.: 089443-000000US
Client Reference No.: S8292PUS - Mr/ak

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas Dollmann, et al.

Application No.: 10/612,883

Filed: July 3, 2003

For: LASER SCANNING APPARATUS

Examiner: Not yet assigned

Art Unit: 2878

**TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS**

Attn: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated July 22, 2004, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration
- 2) Power of Attorney and Certificate of Assignee Under 37 C.F.R. § 3.73(b)
- 3) Certified copy of German priority application no. 10230397.5
- 4) Copy of Notice of Missing Parts

With regard to the Notice to File Missing Parts dated July 22, 2004, Attorney for Applicant notes a discrepancy on page 1 thereof, under "Summary of Fees Due", in the calculation of total additional claim fees as opposed to the number of claims originally filed in this application. The application as originally filed included only 39 total claims, with 2 independent claims, 1 and 36, and no multiply dependent claims. The 39 claims included the following dependencies:

claims 2, 7, 8, 10, 11, 20, 26, 27 depending from claim 1
claims 3, 4, 5, 6 depending from claim 2
claims 12, 14, 16, 18 depending from claim 10
claims 13, 15, 17, 19 depending from claim 11
claims 21, 22, 24, 28 from claim 20
claims 23, 25, 29 depending from 21
claims 30, 32 depending from claim 28
claims 31, 33 depending from 29
claim 34 depending from 32
claim 35 depending from 33
claims 37, 38 and 39 depending from 36

Thus, Attorney for applicant respectfully submits that the total additional fee calculation for this application of \$3980, the total claims calculation over 20 of 155 and the \$290 multiple dependent claim surcharge indicated at the bottom of page 1 and top of page 2 of the Notice to File Missing Parts are in error.

In view of the foregoing, please charge Deposit Account No. 20-1430 for the following fees as recalculated:

Large Entity:	(a) Filing Fee (§ 1.16(a)) (Large Entity)	\$770	
	(b) Excess Claims Fees (§ 1.16(b), (c)):		
	39 - 20 = 19	x \$18 =	\$342
	2 - 3 = 0	x \$86 =	\$0
	(d) Missing Parts Surcharge	\$130	
	TOTAL FEES TO BE CHARGED	\$1242	

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

Karen Babyak Dow
Karen B. Dow
Reg. No. 29,684

Customer No. 20350

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JGS/KBD:tsp

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